

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANTON D. HUGHES,

Defendant.

No. 10-30051-DRH

ORDER

HERNDON, Chief Judge:

Now before the Court is Defendant Hughes' second Motion to Continue Trial Setting (Doc. 18). Defendant requests that the trial currently scheduled for June 22, 2010 be continued as he is currently seeking treatment for his addictions at an in-patient facility and has been instructed that dealing with his pending legal matters at this point would be detrimental to his treatment. Defendant had previously asked for and was granted a continuance because he had been in the hospital and had not been able to communicate with his attorney. Defendant seeks a thirty day continuance in order to complete treatment and prepare for this case. The Government does not object to the continuance. Based on the reasons in the motion, the Court finds that additional time is needed in order for Defendant to complete his treatment and prepare for his case. Further, the Court finds that pursuant to **18 U.S.C. § 3161(h)(7)(A)**, the ends of justice served by the granting of such a continuance outweigh the best interests of the public and Defendant in a speedy trial. Further, to force Defendant to trial without adequate time to prepare

would constitute a miscarriage of justice.

Accordingly, the Court **GRANTS** Defendant Hughes' motion to continue trial setting (Doc. 18). The Court **CONTINUES** the trial currently set for June 22, 2010 until **Monday, July 19, 2010 at 9:00 a.m.** The time from the date the motion was filed, June 14, 2010, until the date on which the trial is rescheduled, July 19, 2010, is excludable for purposes of a speedy trial.

Should either party believe that a witness will be required to travel on the Justice Prisoner and Alien Transportation System (JPATS) in order to testify at the trial of this case, a writ should be requested at least two months in advance.

IT IS SO ORDERED.

Signed this 14th day of June, 2010.

/s/ David R. Herndon

Chief Judge
United States District Court